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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,717	01/02/2004	Jonathan Firooz	200205924-1	1365

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HEWLETT PACKARD COMPANY  
P O BOX 272400, 3404 E. HARMONY ROAD  
INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER
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WORKU, NEGUSSIE

ART UNIT	PAPER NUMBER
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2625

NOTIFICATION DATE	DELIVERY MODE
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06/04/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM  
mkraft@hp.com  
ipa.mail@hp.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/750,717	<b>Applicant(s)</b> FIROOZ, JONATHAN	
	<b>Examiner</b> NEGUSSIE WORKU	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-19 is/are allowed.
- 6) ☒ Claim(s) 20-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 02/18/08, regarding claims 1 and 10, have been fully considered, and persuasive, but applicant's remarks with respect to claims 20 through 28 has not been found persuasive. Examiner respectfully disagree with applicant's remarks for the reasons discussed below:

Regarding claims 20-28, specifically, with claim 20, the Applicant alleged that the combination of Parks et al. (USP 5,877,746), in view Krexner (USP 6,005,924), fails to show or suggest, "multi-function printer device monitors incoming phone calls to internally intercept and initialize said facsimile functionality to receive incoming facsimile transmissions while said call answering functionality is processing a call".

In response, the Examiner respectfully disagrees because the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

In this case, the Examiner asserts that the combination of Parks et al. (USP 5,877,746), in view Krexner (USP 6,005,924), when considered as a whole clearly

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teaches that "a multi-function system device [i.e., an all in one integrated system 10 of fig 1 and a printer 49 of fig 4; an optical scanner (optical scanner CIS image sensor 56 of fig 4); a call answering functionality (facsimile device via modem 54 of fig 4, having a answering functionality via microphone 52, speaker 53, and telephone handset 17 in connection with DFAC via modem 54 of fig 4, col.21, lines 14-18; and, since 10 of fig 1 and 4, powered by a central processing unit CPU 42 as shown in fig 4, integrated office system 10 also function as a general purpose personal computer col.5, lines 5-10, and selectively interface the multi-function printer 49, facsimile via modem 54, scanner or/ and copier 56 of fig 4, as discussed in col.col.7, lines 5-40.

In view of the above, having the system of Parks'746' and then given the well-established teaching of Krexner '924' as discussed in below indicated Office action, the Examiner asserts that it would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the reference in order to come up with the invention of claim 20.

For the above reasons, the Examiner asserts that the combination of the prior arts does in fact show the claimed invention, and is known to ordinary skilled in the art at the time of the invention was made, thus, ***the rejections are maintained as follows:***

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 20 through 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parks et al. (USP 5,877,746), in view Krexner (USP 6,005,924).

As to claim 20, Parks (746) teaches a system for providing the multi-function printer device, (a multi-function or/and all in one integrated office system 10 of fig 1, comprises a facsimile with voice messaging system, scanner 56, copier 57 and printer 49 as shown in fig 4, col.5, lines 1-5), said system comprising: a multi-function system device (an all in one integrated system 10 of fig 1) comprising: a printer (printer 49 of fig 4); an optical scanner (optical scanner CIS image sensor 56 of fig 4); a call answering functionality (facsimile device via modem 54 of fig 4, having a answering functionality via microphone 52, speaker 53, and telephone handset 17 in connection with DFAC via modem 54 of fig 4, col.21, lines 14-18); and a general purpose processor-based device (10 of fig 1-4) selectively interfaced with said multi-function printer device (fig 4) and selectively powered, (since 10 of fig 1 and 4, powered by a central processing unit CPU 42 as shown in fig 4, integrated office system 10 also function as a general purpose personal computer col.5, lines 5-10, and selectively interface the multi-function printer 49, facsimile via modem 54, scanner or/ and copier 56 of fig 4, as discussed in col.col.7, lines 5-40).

However, Parks (746) fails to teach wherein said multi-function printer device monitors incoming phone calls to internally intercept and initialize said facsimile

functionality to receive incoming facsimile transmissions while said call answering functionality is processing a call.

Krexner (924) in the same area of a combination of devices (as shown in fig 1), teaches wherein said multi-function printer device (combination device 1, includes facsimile 2, internal telephone 3, as shown in fig 1) monitors incoming phone calls to internally intercept and initialize said facsimile functionality to receive incoming facsimile transmissions while said call answering functionality is processing a call, (as discussed in col.7, lines 40-45, col.8, lines 10-15 and 22-25, in combination switching means 31, via call signal detector 32 and the fax detection means 30 of fig 1, a voice call to proceed when it is determine the incoming signal is a voice mail, other wise it would initialize facsimile operation by applying received signal to fax signal detection means via first switching means where control signal is supply to fax for receiving and printing a facsimile signal).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the imaging apparatus of Parks (746) to include: wherein said multi-function printer device monitors incoming phone calls to internally intercept and initialize said facsimile functionality to receive incoming facsimile transmissions while said call answering functionality is processing a call.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified a multifunction device of Parks (746) by the teaching of Krexner (924), the purpose of obtaining the above suggested combination is that for receiving the incoming phone call and incoming facsimile transmission at the

same time by internally intercepting the phone call and initialize the facsimile functionality to receive the incoming facsimile. It would have helps a user to reduce waiting time and increase the productivity of the multi-function device.

Therefore, it should be clear to one skilled in the art that anyone of a wide variety of switching elements can be similarly employed to accomplish this desired result without depending from the teaching of the present invention.

As to claim 21, Parks (746) further teaches the system (as shown in fig 1-4) wherein said facsimile functionality stores said incoming facsimiles to memory of said general-purpose processor-based device, (the fax message received from external device is being stored in a system had disk 45 of fig 4, of general purpose computer portion of integrated office system 10 of fig 1, [10 serves as general purpose computer col.5, lines 5-10], as they are received, col.21, lines 5-12, also fax transmission could be stored in system memory 47 of fig 4, as discussed in col.21, lines 25-30).

As to claim 22, Parks (746) further teaches the system (as shown in fig 1-4) wherein a microphone (microphone 52 of fig 4) associated with said general purpose processor (10 of fig 1, serves as general purpose computer col.5, lines 5-10), based device is used to record an outgoing message for use by said call answering functionality (the out (10 of fig 1, used to record an going message for use by call answering purpose, col.18, lines 27-40).

As to claim 23, Parks (746) further teaches the system (as shown in fig 1-4) wherein a speaker associated with said general-purpose processor-based device is used for playing incoming messages, (speaker 53 of fig 4) associated with said general purpose processor (10 of fig 1, serves as general purpose computer col.5, lines 5-10), based device is used to record an outgoing message for use by said call answering functionality (the out (10 of fig 1, used for playing an going message for use by call is used for playing incoming messages, col.18, lines 27-40).

As to claim 24, Parks (746) further teaches the system (as shown in fig 1-4), wherein said general purpose processor-based device hosts a user interface adapted to receive user settings for said multi-function printer device (10 of fig 1, serves as general purpose host computer col.5, lines 5-10, having a user setting interface 11 of fig 3, such as switches 22-30, navigation button 19 and plurality of hard button 20 as shown in fig 3, adapted to receive user setting for system 10 of fig 1, col.5, lines 23-28).

As to claim 25, Parks (746) further teaches the system (as shown in fig 1-4) wherein said user interface enables recording of an outgoing message for use by said call-answering functionality, (since 10 of fig 1, serves as general purpose computer col.5, lines 5-10, having interface for record an going message for call answering purpose, col.18, lines 27-40).



As to claim 26, Parks (746) further teaches the system (as shown in fig 1-4) said a multi-function printer device is a stand-alone device adapted to employ said facsimile and call answering functionalities independent of said interface with said general purpose processor-based device, (since 10 of fig 1, serves as general purpose computer col.5, lines 5-10, having interface 11 of fig 3 adapted to employ said facsimile and call answering functionalities for record an going message for call answering, col.18, lines 27-40).

As to claim 27, Parks (746) further teaches the system (as shown in fig 1-4) wherein said multi-function printer device is a stand-alone device adapted to employ said facsimile and call answering functionalities independent of a power status of said general purpose processor-based device, (since 10 of fig 1, serves as general purpose computer col.5, lines 5-10, having interface 11 of fig 3 adapted to employ said facsimile and call answering functionalities for recording out going message and for answering calls col.18, lines 27-40).

4. ***Claim 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parks et al. (USPN 5,877,746), in view Krexner (USPN 6,005,924), as applied to claims 20-27, above and further in view of Eveland (USPAP 2004/0169888).***

Regarding claim 28, Parks (746) in view of Krexner (924) do not teach a wherein a wireless interface, interfacing said general purpose processor-based device with said multi-function printer device.

Eveland teaches wherein said multi-function printer device further comprises a wireless interface, interfacing said general purpose processor-based device with said multi-function printer device, (the communication may follow the format of wired connection interface, such as the case where a print device connects to a print device over a serial or parallel computer port, the communication might also follow a as wireless connection such as that used for communication through an infrared port, discussed in lines 0030-0032).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the multi function printing system Parks (746) in view Krexner (924) to use a wireless interface alternatively such as IR (infrared) or RF connection.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Parks (746) in view Krexner (924) by the teaching of Eveland (888) for the following reasons: (a) It would have allowed a user to alternatively connected to the system remotely from a portable device, such as PDA and cellular phone. (b) a wireless systems can be easier and less expensive to install than a wired network, and a wireless system can be less expensive to install in an existing facility because fewer wires must be run through walls and ceilings.

***Allowable Subject Matter***

5. The following is a statement of reasons for the indication of allowable subject matter: Claims 1 through 19 are allowed.

With respect to claims 1 through 9, the prior art searched and of record neither anticipates nor suggests a method for receiving facsimiles in a multi-function printer device operating as a voice messaging system, said method comprising: answering, by said multi-function printer device, an incoming phone call; playing, by said multi-function printer device, an outgoing message; monitoring, by said multi-function printer device, said incoming phone call for a facsimile tone while playing said outgoing message; recording, by said multi-function printer device, an incoming message when no facsimile tone is detected; and ceasing playing of said outgoing message by said multi-function printer device in response to said facsimile tone and initializing said multi-function printer device to receive an incoming facsimile transmission.

Claims 10 through 19, are also allowed for the reason the prior art searched and of record neither anticipates nor suggests a multi-function printer device comprising: means for printing media; means for optically scanning media; means for answering incoming phone calls, said answering means comprising means for playing an outgoing message and means for recording an incoming message; means for sending and receiving facsimiles; means for monitoring said incoming phone calls, while said means for playing plays said outgoing message, for a facsimile tone; and means for initializing

the facsimile means to receive an incoming facsimile transmission in response to said monitoring means detecting a facsimile tone.

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NEGUSSIE WORKU whose telephone number is (571)272-7472. The examiner can normally be reached on 9A-6PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Negussie Worku/

Examiner, Art Unit 2625

/Edward L. Coles/

Supervisory Patent Examiner, Art Unit 2625